

NNNNYDRZZCS: 12-12-81

L. POLLAK - YOUR COPY

SENT
TELEX ROOM

Copies to A. Palmer

H. Kotter

1980 DEC 12 AM 10:15

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MR. HAMISH MAXWELL - VISITING

PHILIP MORRIS INT'L
N.Y.C.

CC: L. POLLAK (PMI)

WE HAD A MEETING THIS MORNING WITH THE PATENT ATTORNEYS TO GO OVER THE PATENT SITUATION HERE IN EUROPE FOR THE BARCLAY FILTER.

IT TURNS OUT THAT PHILIP MORRIS FILED A PTENT APPLICATION IN THE U.S., WESTERN GERMANY, THE U.K. AND AUSTRALIA IN 1977 FOR A FILTER WHICA WOULD APPEAR TO GIVE US ALMOST CLEAR RIGHTS TO THE USE OF THE BARCLAY FILTER. THE U.S. PATENT FILING WAS NUMBER 853 146 OF NOVEMBER 18, 1977.

ACCORDING TO OUR PATENT ATTORNEY THIS FILING, WHICH PRECEDED THE B.A.T. FILING, GIVES US A 99 0/0 CHANCE OF USING THE BARCLAY FILTER IN GERMANY AND ENGLAND. IT WOULD APPEAR TO US THAT THIS PATENT APPLICATION WOULD ALSO ENABLE US TO USE THE BARCLAY FILTER IN THE U.S. AND IN AUSTRALIA.

IN ORDER FOR US TO TKE THE NECESSARY STEPS TO COMPLETELY PROTECT OUR RIGHT TO USE THE BARCLAY FILTER IN ENGLAND AND GERMANY, WE WOULD LIKE TO BE GIVEN AUTHORITY BY PHILIP MORRIS INCORPORATED, TO ADMINISTER THE PATENT APPLICATIONS AND TAKE WHATEVER STEPS ARE NECESSARY TO ACCELERATE THE GRANTING PROCEDURE.

WE HAVE ASKED LEE POLLAK TO CONTACT ALEX HOLTZMAN TODAY AND HAVE ALEX WRITE A LETTER TO HELMUT GAISCH AUTHORISING HELMUT TO HANDLE ALL MATTERS RELATING TO THE PATENT APPLICATIONS LODGED IN ENGLAND AND GERMANY.

REGARDING THE OTHER MAJOR MARKETS IN EUROPE, THE PATENT ATTORNEYS HAVE NOT HAD TIME TO ASSESS THE SITUATION. WE

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